

BOARD OF APPEAL REFERRALS

JANUARY 20, 1977

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62-66 Charles Street, Boston

MEMORANDUM

January 20, 1977

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert F. Walsh, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Tabled 12/23/76

Hearing: 2/8/77

Petition No. Z-3749
Alexander Paliwoda
610-612 Dorchester Avenue, South Boston
near Andrew Square

2½-story frame structure - general business (B-1) district.

Purpose: to change occupancy from one apartment and offices to one apartment and private club.

Violation:

Section 23-2. Off-street parking is insufficient.

Facility would be used as meeting hall for Polish Veterans. Arrangements have been made with nearby St. Mary's Church to provide off-street parking.
Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3749, brought by Alexander Paliwoda, 610-612 Dorchester Avenue, South Boston, for a variance for a change of occupancy from one apartment and offices to one apartment and private club in a general business (B-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that petitioner make arrangements to provide off-street parking at nearby site; that facility terminate club activities no later than midnight.

Z-3749
610-612 DORCHESTER AVE.
(S.B.)



Board of Appeal Referrals 1/20/77

Hearing: 2/8/77

Petition No. Z-3761
Eileen Gillis
408 Belgrade Avenue, West Roxbury
at Kenneth Street

2½-story frame structure - single-family (S-.5) district.

Purpose: to change occupancy from one-family dwelling and dental office to two-family dwelling.

Violations:

Section 9-2. A change in a nonconforming use requires Board of Appeal hearing.

Residential occupancy is desirable, is compatible with mixed residential-commercial character of immediate neighborhood, and tends to reduce parking demand. Recommend approval.

VOTED: In reference to Petition No. Z-3761, brought by Eileen Gillis, 408 Belgrade Avenue, West Roxbury, for a change in a nonconforming use for a change of occupancy from one-family dwelling and dental office to two-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval. Residential occupancy is desirable, is compatible with mixed residential-commercial character of immediate neighborhood, and tends to reduce parking demand.



Z-3761

408 BELGRADE AVE.
(W.R.)

Board of Appeal Referrals 1/20/77

Hearing: 2/8/77

Petition No. Z-3762
 Ernesto Espinola
 5 Adelaide Street, Jamaica Plain
 near Boylston Street

2½-story frame structure - residential (R-.5) district.

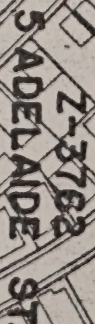
Purpose: to change occupancy from two-family dwelling to three-family dwelling.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Any dwelling converted for more families which does not meet the requirements for lot area is forbidden in an R-.5 district.		
Section 14-1. Lot area is insufficient.	2 acres	2,346 sf
Section 14-3. Lot width is insufficient.	200 ft.	41 ft.
Section 14-4. Street frontage is insufficient.	200 ft.	41 ft.
Section 16-1. Height of building is excessive.	2 stories	2½ stories
Section 17-1. Open space is insufficient.	1,000 sf	355 sf
Section 18-1. Front yard is insufficient	25 ft.	2 ft.
Section 23-1. Off-street parking is insufficient.	1 space	0

Occupancy is existing and is compatible with the neighborhood mix of 1-2-3-family residences. Recommend approval.

VOTED: In reference to Petition No. Z-3762, brought by Ernesto Espinola, 5 Adelaide Street, Jamaica Plain, for a forbidden use and seven variances for a change of occupancy from a two-family dwelling to a three-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Occupancy is existing and is compatible with the neighborhood mix of 1-2-3-family residences.



Board of Appeal Referrals 1/20/77

Hearing: 2/8/77

Petition No. Z-3763
Larchmont Realty Trust
Emanuel L. Josephs
423-429 Boylston Street, Boston
near Berkeley Street

Restaurant - general business (B-10-155) district.

Purpose: to erect canopy at entrance to restaurant.

Violation:

	<u>Required</u>	<u>Proposed</u>
Section 18-1. Front yard is insufficient.	20 ft.	0

Structure, canvas-covered steel-frame canopy (7 ft. by 3 ft. by 18 ft. projection) would tend to impair pedestrian visibility and passage and detract from the area. An awning or marquee would be more suitable. Back Bay Association is opposed to proposal. Recommend denial.

VOTED: In reference to Petition No. Z-3763, brought by Larchmont Realty Trust, 423-429 Boylston Street, Boston, for a variance to erect a canopy at restaurant entrance in a general business (B-10-155) district, the Boston Redevelopment Authority recommends denial. Structure would tend to impair pedestrian visibility and passage and to detract from the area. Back Bay Association is opposed to proposal. An awning or marquee would be more suitable.



ALINGTON

Z-3763

423-429 BOYLSTON ST.
(B.P.)

BERKELEY

UNIVERSITY
FIRST CHURCH
IN BOSTON

CLARENDON

HILLCROFT

WALK

COMMONWEALTH

CHURCH OF THE
COVENANT

CHURCH OF THE
COVENANT

STREET

ALINGTON
STREET
CHURCH

AVENUE

STREET

CITY OF BOSTON
PARKING NO. 4

STREET

TRINITY PLACE

COPLEY
SQUARE

STREET

Board of Appeal Referrals 1/20/77

Hearing: 2/8/77

Petition No. Z-3764
Edmund G. Keohane, Jr.
1104-1112 Dorchester Avenue, Dorchester
at Savin Hill Avenue

Gas service station - local business (L-1) district.

Purpose: to erect one-story addition.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-6. Extension of a conditional use requires Board of Appeal hearing.		
Section 20-4. Rear yard is insufficient.	20 ft.	3 ft.

Expansion would provide a Registry inspection bay facility and a beneficial service. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3764, brought by Edmund G. Keohane, Jr., 1104-1112 Dorchester Avenue, Dorchester, to erect a one-story addition to a gas service station in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided facility complies with Board of Appeal guidelines for gas service stations.



Board of Appeal Referrals 1/20/77

Hearing: 2/15/77

Petition No. Z-3767
Lordonie Realty Corp.
M. Leonard Lewis
141 Revere Street, Boston
near Charles River Square

Three-story structure - apartment (H-2-65) district.

Purpose: to change occupancy from one-family dwelling to two-family dwelling.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Any dwelling converted for more families which does not meet the requirement for open space is forbidden in an apartment (H-2-65) district.		
Section 17-1. Open space is insufficient.	150 ft.	63 ft.

Proximity to Esplanade tends to mitigate open space deficiency. There will be no exterior changes. Recommend approval.

VOTED: In reference to Petition No. Z-3767, brought by Lordonie Realty Corp., 141 Revere Street, Boston, for a forbidden use and a variance for a change of occupancy from a one-family dwelling to a two-family dwelling in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. Proximity to Esplanade tends to mitigate open space deficiency.



Z-3767
141 REVERE ST.
(B.P.)

Board of Appeal Referrals 1/20/77

Hearing: 2/8/77

Petition No. Z-3775
 Stephen E. Lizio, Trustee
 516 Shawmut Avenue, Boston
 at West Springfield Street

3½-story masonry structure - apartment (H-2) district -
 South End Urban Renewal Area

Purpose: to change occupancy from three apartments and store to four
 apartments; to subdivide.

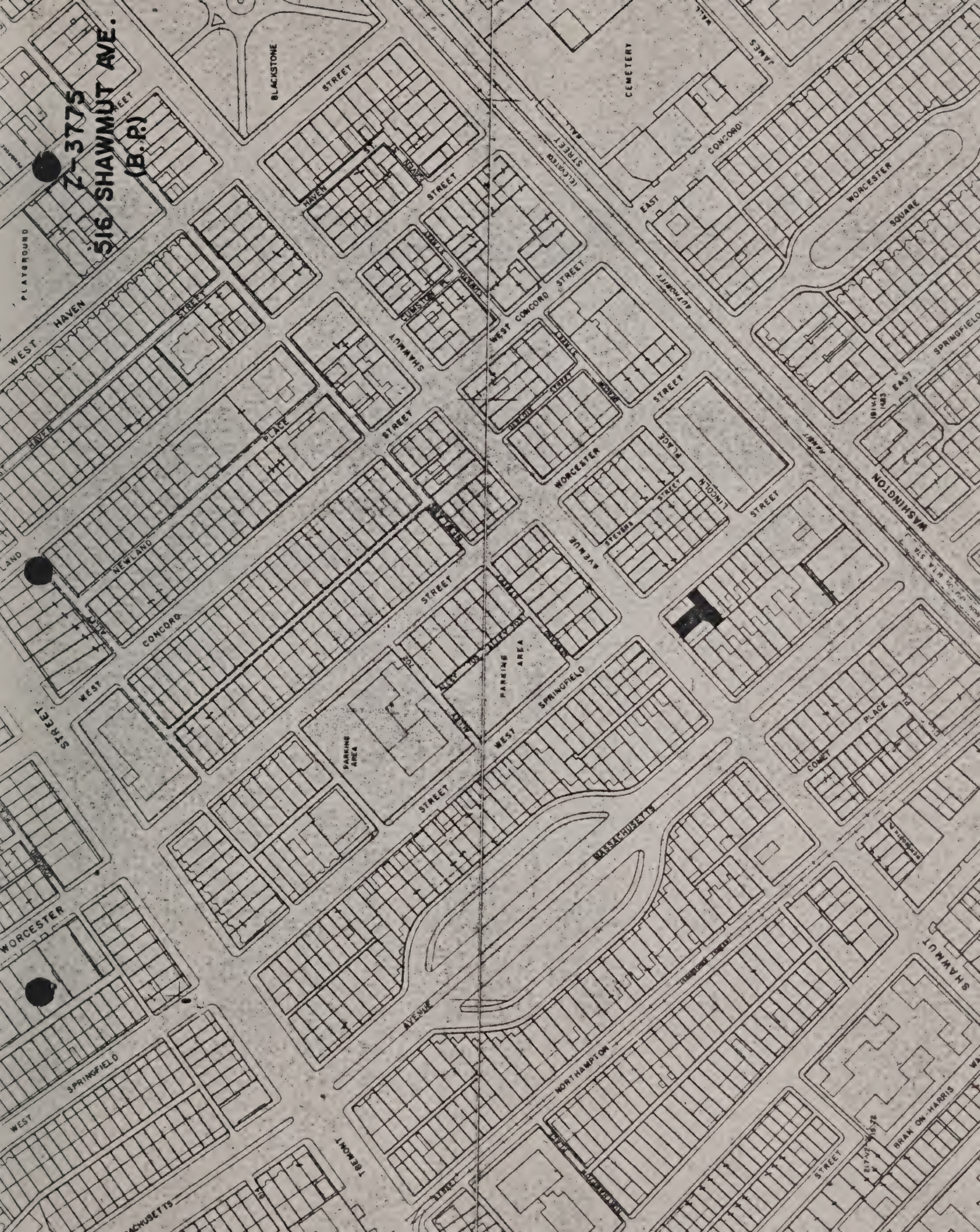
Violations:

	<u>Required</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive.	2.0	5.0
Section 17-1. Open space is insufficient.	150 sf	0
Section 20-1. Rear yard is insufficient.	10 ft.	0

Renovated structure will enhance neighborhood. Conversion is compatible
 with residential nature of area. Recommend approval.

VOTED: In reference to Petition No. Z-3775, brought by
 Stephen E. Lizio, Trustee, 516 Shawmut Avenue,
 in the South End Urban Renewal Area, for three
 variances for a change of occupancy from three
 apartments and store to four apartments in an
 apartment (H-2) district, the Boston Redevelop-
 ment Authority recommends approval. Renovated
 structure will enhance neighborhood. Conversion
 is compatible with residential nature of area.

Z-3775
516 SHAWMUT AVE.
(B. R.)



Board of Appeal Referrals 1/6/77 tabled
1/20/77 resubmitted

Hearing: 1/18/77

Petition No. Z-3780
Rhoda Palder
601-609 Cummins Highway, Mattapan
at Kennebec Street

One-story masonry structure - single-family (S-.5) district.

Purpose: to change occupancy from gas service station to repair shop garage; to erect one-story metal addition and open air pit.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A repair shop garage is forbidden in an S-.5 district.		
Section 18-4. Front yard is insufficient.	30 ft.	22 ft.
Section 20-1. Rear yard is insufficient.	50 ft.	23 ft.

Repair facility (mufflers and shocks) is already existing. Addition would be used for office and storage space. This commercial activity would be compatible with the mixed uses along Cummins Highway. Staff is concerned over need for safety enclosure of open pit during non-operating hours. Recommend approval of conversion-addition with proviso.

VOTED: In reference to Petition No. Z-3780, brought by Rhoda Palder, 601-609 Cummins Highway, Mattapan, for a forbidden use and two variances for a change of occupancy from gas service station to repair shop garage and to erect a one-story addition in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval of conversion-one-story addition provided facility complies with Board of Appeal guidelines, Authority design review of building plans, and solution to pit safety during non-operating hours.

Z-3780
01-609 CUMMINS HWY
(MATT.)



Board of Appeal Referrals 1/20/77

Hearing: 2/1/77

Petitions Nos. Z-3787-3788
Mavis Pryce
573-575 and 577 River Street, Mattapan
at Violante Street

One-story retail store - 2½-story dwelling - residential (R-.5)
district.

Purpose: to subdivide land.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 14-1. Lot area is insufficient.	5,000 sf	1,266 sf
Section 14-3. Lot width is insufficient.	50 ft.	23 ft.
Section 14-4. Street frontage is insufficient.	50 ft.	23 ft.
Section 19-1. Side yard is insufficient.	10 ft.	3 ft.
Section 20-1. Rear yard is insufficient.	40 ft.	5 ft.

Subdivision would enable petitioner to sell properties. Violations are technical and will not have a significant impact on the neighborhood.
Recommend approval.

VOTED: In reference to Petitions Nos. Z-3787-3788,
brought by Mavis Pryce, 573-575 and 577
River Street, Mattapan, for six variances
to subdivide land in a residential (R-.5)
district, the Boston Redevelopment recom-
mends approval. Violations are technical
and will not have a significant impact on
the neighborhood.



573-575-577 RIVER ST.
(H.P.)

Z-3787-88

Board of Appeal Referrals 1/20/77

Hearing: 2/8/77

Petition No. Z-3798
Leon David Estate
International Food Service Co., Inc.
62-66 Charles Street, Boston
at Mt. Vernon Street

One-story restaurant structure - local business (L-2-65) district.

Purpose: to eliminate proviso from previous Board of Appeal decision.

Violation:

Section 7-4. In variance with Board of Appeal decision.

A past Board of Appeal decision (1972) requires restaurant facility to be conducted only under the name of "Kentucky Fried Chicken." Current petition requests that ownership be transferred and restaurant renamed "Charles Street Fried Chicken." Beacon Hill Civic Association and immediate community are opposed. Neighbors cite strewn refuse and unpleasant odors and feel restaurant has become a nuisance contrary to conditional use requirements. Recommend denial.

VOTED: In reference to Petition No. Z-3798, brought by Leon David Estate and International Food Service Co., Inc., 62-66 Charles Street, Boston, for a variance to eliminate proviso from previous Board of Appeal decision in a local business (L-2-65) district, the Boston Redevelopment Authority recommends denial. Beacon Hill Civic Association and immediate community are opposed. Neighbors cite strewn refuse and unpleasant odors and feel restaurant has become a nuisance contrary to conditional use requirements.



Z-3798
62-66 CHARLES ST.
(B.P.)

